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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

9 IN THE MATTER OF ENFORCEMENT)
ACTION AGAINST) PDC CASE NO.: 00-884
10 Gary Toothaker, Superintendent)
Mukilteo School District No. 6) STIPULATION OF FACTS,
11 Respondent.) VIOLATIONS AND PENALTY
12 _____)

13 Gary Toothaker, Superintendent, Mukilteo School District No. 6 (Respondent) and
14 Public Disclosure Commission Enforcement Staff (Staff) jointly submit this Stipulation of
15 Facts, Violations and Penalty for Commission consideration in lieu of a full enforcement
16 hearing before the Commission. The parties agree that pursuant to RCW 42.17.360 et. seq.,
17 the Commission has the authority to accept, decline, or to suggest modifications to this
18 Stipulation.
19

20 **Facts**

21 Both parties agree that the Notice of Administrative Charges contains accurate
22 statements of fact. The Notice of Administrative Charges is incorporated by reference.

23 Staff acknowledges that the District fully cooperated with the investigation. Staff
24 also agrees that no evidence was found of willful violations.
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1 **Violations**

2 Respondent and Staff agree that based upon the facts stipulated above, the
3 Commission would likely find multiple violations of RCW 42.17.130.
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5 **Penalty**

6 Respondent and Staff agree that based upon the facts and the agreement regarding
7 multiple violations above, the Respondent is willing to accept an assessed total civil penalty
8 of \$7,000.00. Public funds may not be utilized to pay any portion of the penalty. \$2,000.00
9 of this penalty is to be suspended on the condition that there be no violations of RCW 42.17
10 within four years from the date of the final order issued by the Commission. The parties
11 agree that the penalty will be paid in full within 60 days from the entry of the
12 Commission's Final Order in this matter.
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14 Respondent further agrees to the following:

15 (a) The Respondent agrees to put in place an internal process for reviewing
16 information related to ballot issues. This review may be accomplished by counsel for the
17 District.

18 (b) On both a district-wide and site-specific level, to train all personnel involved
19 in the publication of materials dealing with school ballot measures about the mandates of
20 RCW 42.17.130. This training would be completed during the 2001–2002 school year,
21 with verification by enforcement staff.
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23 (c) Through the office of the Superintendent, to distribute information about this
24 case, the action found to be grounds for finding a violation of RCW 42.17.130, and the
25 agreed remedial procedures, to all Mukilteo administrators in the central office and in all
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1 of the school district's schools during the 2001-2002 school year, with verification by
2 enforcement staff.

3 (d) The Respondent reaffirms his intention to comply in good faith with RCW
4 42.17.130.

5 Respectfully submitted this 22nd day of May, 2001.
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8 _____
9 Vicki Rippie, Executive Director

DATE SIGNED

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11 _____
12 G. Douglas Ferguson, WSBA #5126
13 Attorney for Respondent
14 Gary Toothaker, Superintendent
15 Mukilteo School District No. 6
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DATE SIGNED